

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

December 2, 1965  
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Palmer presiding.

Roll call:

Present: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Absent: None

Present also: W. T. Williams, Jr., City Manager; Doren R. Eskew, City Attorney; Reuben Rountree, Jr., Director of Public Works; Robert A. Miles, Chief of Police

Invocation was delivered by REVEREND C. J. MANN, Tarrytown Methodist Church.

Pursuant to published notice thereof the following zoning applications were publicly heard:

MARY HOWARD EBY	720 $\frac{1}{2}$ -750 Airport Boulevard	From "A" Residence 1st
By Mack Kidd	711-733 Shady Lane	Height & Area and
	Additional Area	"D" Industrial 6th
	714 $\frac{1}{2}$ -720 Airport Boulevard	Height & Area
	701-709 Shady Lane	To "D" Industrial 6th
	5100-5416 East 7th Street	Height & Area
		RECOMMENDED by the
		Planning Commission
		for subject property
		excluding additional
		area

Mr. Douglass Hearn stated the recommendation to exclude the additional area was agreeable to the applicant. Councilman Long inquired about the right of way. Mr. Hearn stated they were willing to dedicate 15' from this property, and the agreement was to be worked out with the City Attorney. Councilman Long moved that the change be granted to "D" Industrial 6th Height and Area excluding the additional area. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The Mayor announced that the change had been granted to "D" Industrial 6th Height and Area for 720 $\frac{1}{2}$ -750 Airport Boulevard and 711-733 Shady Lane and the City Attorney was instructed to draw the necessary ordinance to cover.

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JACK ANDREWARTHA	1643-1645 Windoak Drive	From "A" Residence
By Oscar W. Holmes		To "B" Residence
		RECOMMENDED by the
		Planning Commission

Councilman White moved that the change to "B" Residence be granted. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The Mayor announced that the change had been granted to "B" Residence and the City Attorney was instructed to draw the necessary ordinance to cover.

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E. W. WUPPERMAN	Rear of 900-910 Koenig	From "A" Residence
By Howell Finch	Lane	To "C" Commercial
		RECOMMENDED by the
		Planning Commission

Councilman Long moved that the change to "C" Commercial be granted. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The Mayor announced that the change had been granted to "C" Commercial and the City Attorney was instructed to draw the necessary ordinance to cover.

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TRAVIS ECKERT	2706 Sol Wilson Avenue	From "A" Residence and
	Additional Area	"C" Commercial
	2708 Sol Wilson Avenue	To "C" Commercial
		RECOMMENDED by the
		Planning Commission

Councilman Long moved that the change to "C" Commercial be granted. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The Mayor announced that the change had been granted to "C" Commercial and the City Attorney was instructed to draw the necessary ordinance to cover.

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ESTATE OF MRS. W. C. BLUNDELL  
By B. W. Burnette  
1011-1013 East 38th Street From "A" Residence 1st and 5th Height & Area  
To "C" Commercial 5th Height & Area  
RECOMMENDED by the Planning Commission

Councilman Shanks moved that the change to "C" Commercial 5th Height and Area be granted. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The Mayor announced that the change had been granted to "C" Commercial 5th Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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LEOLA RICKS  
708-712 Denson Drive  
Tract 2  
706 Denson Drive  
From "A" Residence To "C" Commercial RECOMMENDED by the Planning Commission  
From "A" Residence To "B" Residence

Councilman Long suggested including Tract 2 which was advertised as it would be logical to zone a larger area. Councilman Long moved that the Council grant the change as requested, including the additional area. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The Mayor announced that the change had been granted to "C" Commercial for 708-712 Denson Drive and to "B" Residence for 706 Denson Drive and the City Attorney was instructed to draw the necessary ordinance to cover.

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SAM E. DUNNAM, IV  
By Robert C. McCreary  
2008-2012 Whitis Avenue  
From "C" Commercial 2nd Height & Area To "C-1" Commercial 2nd Height & Area  
NOT Recommended by the Planning Commission

At the request of Mr. Robert C. McCreary representing the applicant, Councilman Long moved that action be postponed until next week. The motion,

seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

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ROANE H. PUETT	508-510 West 7th Street 701-705 Nueces Street Additional Area 707 Nueces Street	From "O" Office 2nd Height & Area To "C" Commercial 2nd Height & Area NOT Recommended by the Planning Commission
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Councilman Shanks moved that the Council grant Mr. Roane H. Puett's request to withdraw this application. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

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DON McELWREATH By Bryant-Curington, Inc.	6222-6304 Manor Road 3103-3205 Jack Cook Drive	From "A" Residence To "LR" Local Retail NOT Recommended by the Planning Commission
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MR. THOMAS WATTS, Bryant-Curington, represented the applicant, stating Manor Road from Old Manor Road to Loop 111 was becoming an area set aside and used as a business district serving the area. He pointed out the locations of the various "C" Commercial, "LR" Local Retail and "C-1" Commercial and unzoned properties in the vicinity. He said the tracts did not lend themselves to residential, were not large enough unless they were combined, were outside the City limits, and there is a tremendous drainage problem. Under the thoroughfare and expressway plan, Springdale Road is to be 250-300' wide in 1983. Many lots are unoccupied, and one area is planned for a filling station or commercial use. The increased traffic and the drainage problem renders the land as unsuitable for single family development. In opposition of the change, Mr. Ed Gardner submitted a plat showing locations of beautiful homes in the area, three or four locations of planned shopping centers, and stated this area was not a housing project, but an area for home development. He had been living there for a good while, and had experienced no drainage problem. After discussion, Councilman Shanks moved that the Council sustain the Planning Commission's recommendation, and DENY the change of zoning. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The Mayor announced that the change had been DENIED.

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Councilman White moved that the Minutes of the Meeting of November 18, 1965, and of November 23, 1965, be approved. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

Mayor Palmer brought up the following ordinance for its second reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 5.84 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE J. C. TANNEHILL LEAGUE IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.  
(Adele Addition and Hobbs Addition.)

The ordinance was read the second time and Councilman LaRue moved that the ordinance be passed to its third reading. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Shanks, Mayor Palmer  
Noes: Councilmen Long, White

Mayor Palmer introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 28.34 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE S. Q. WHATLEY SURVEY, IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.  
(Preswyck Hills, Section 4)

Councilman LaRue moved that the ordinance be published in accordance with Article 1, Section 6 of the Charter of the City of Austin and set for public hearing on December 16, 1965 at 10:30 A.M. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, certain easements were granted to the City of Austin for public utility and/or drainage purposes, in, upon and across a part of Block L, Highland Park West, a subdivision of portions of the Daniel J. Gilbert Survey, the

C. J. Strother Survey and the Albert Silsbee Survey in the City of Austin, Travis County, Texas, according to a map or plat of said Highland Park West of record in Book 4 at Page 299 of the Plat Records of Travis County, Texas; and,

WHEREAS, the owner of the above described property has requested the City Council of the City of Austin to release the hereinafter described easements; and,

WHEREAS, the City Council has determined that the hereinafter described easements are not now needed and will not be required in the future; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager of the City of Austin be, and he is hereby authorized to execute a release of the following described public utility and/or drainage easements, to-wit:

Two (2) strips of land, each of the said two (2) strips of land being five (5.00) feet in width and each being out of and a part of Block L, Highland Park West of record in Book 4 at Page 299 of the Plat Records of Travis County, Texas; the strip of land hereinafter described as Number One being out of and a part of Lot 2 of said Block L, Highland Park West and the strip of land hereinafter described as Number Two being out of and a part of Lot 3 of said Block L, Highland Park West; each being more particularly described as follows:

NUMBER ONE, BEING all of the south 175.00 feet of the west five (5.00) feet of said Lot 2, Block L, Highland Park West.

NUMBER TWO, BEING all of the south 175.00 feet of the east five (5.00) feet of said Lot 3, Block L, Highland Park West.

The motion, seconded by Councilman LaRue, carried by the following vote:  
Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The City Manager submitted the following:

"November 26, 1965

"TO: Honorable Mayor and Members of the City Council.

SUBJECT: Bids on Precoated Aggregate.

"Sealed bids were opened in the office of the Purchasing Agent at 2:00 P.M. November 23, 1965 for 5,000 tons of Precoated Aggregate for the Street and Bridge Division. This material is used in the seal coat program of various paved streets.

"Invitations to bid were sent to all known producers of this type material in this area.

"The bids received are as follows:

<u>Bidder</u>	<u>Net Unit Price</u>	<u>Net Total Price</u>
Uvalde Rock Asphalt Co.	\$4.96	\$24,800.00
Glo-Stone Materials Co.	3.773	18,865.00
Capitol Aggregates, Inc.	3.871	19,355.00

"This material will be delivered to the City of Austin Stockpiles as requested by the Street and Bridge Division. The low bid by Glo-Stone Materials Company meets all requirements and conditions of our specifications.

"RECOMMENDATION: It is recommended a contract be made with Glo-Stone Materials Company to supply 5,000 Tons of Precoated Aggregate in the amount of \$18,865.00 as the lowest and best bid.

"W. T. Williams, Jr., City Manager"

Councilman Shanks offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on November 23, 1965, for 5,000 tons of precoated aggregate for the Street and Bridge Division of the City of Austin; and,

WHEREAS, the bid of Glo-Stone Materials Co., in the sum of \$18,865.00, was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Purchasing Agent of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Glo-Stone Materials Co., in the sum of \$18,865.00, be and the same is hereby accepted, and that W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute a contract, on behalf of the City, with Glo-Stone Materials Company.

The motion, seconded by Councilman LaRue, carried by the following vote:  
Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That W. T. Williams, Jr., City Manager, be and he is hereby authorized to execute and deliver to Creedmoor-Maha Water Corporation that certain Agreement For Purchase of Water dated November 30, 1965 under the terms of which the City of Austin agrees to sell water to said corporation upon the terms and conditions therein enumerated.

December 2, 1965

The motion, seconded by Councilman White, carried by the following vote:  
Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The City Manager made a report on the street light and highlines matter which Mr. Pearce Johnson presented last week. The street light is still in place and it is not anticipated that it be abandoned, and it will not be re-located unless by agreement with the people in the neighborhood. There is a problem involved about relocating the service lines in the area. Mr. Reese has put up money to pay for relocating the lines from his property as he plans a residence and the lines would be right over his improvements. There is some protest from some of the neighbors about the location of those lines, and the Department is trying to work that out satisfactorily before proceeding. Councilman LaRue asked if Mr. Reese had considered putting the utilities underground. It was stated he did not.

The City Manager stated some of the Sanitation Codes would be ready for the Council soon. The Mayor asked that copies be furnished the Council at least a week in advance of the hearing. The Ordinance to be heard first involves Nursing Homes mainly. The Mayor asked that those concerned or interested in Nursing Homes be notified. Councilman Long moved that a public hearing be set for 10:00 A.M., Thursday, December 9th, on the section of the Health Code having to do with Nursing Homes. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The Council considered the award of the contract to the low bidder on the Turbine Generator for Plant X. MR. D. V. BOYD, Brown & Root Consulting Engineers, had submitted their written report on November 23, 1965, recommending WESTINGHOUSE CORPORATION as the lowest and best bidder.

MR. JAY BROWN representing GENERAL ELECTRIC COMPANY, presented the Council copies of information they developed relating solely to the computations on the interest factor and the efficiency factor, and contended there was a mathematical error in the calculation of the interest figure. Following is a copy of information presented:

"Austin, Texas  
December 2, 1965

"City Council  
City of Austin  
Municipal Building  
Austin, Texas

"Dear Sirs and Madam:

"The specifications for No. 1 Turbine-Generator Plant 'X', City of Austin Electric Department, Austin, Texas, provide that 'For the purpose of evaluating the bids to determine which bid is lowest and best, the following

values and conditions will be assumed by Purchaser:

- 'a. Owner's cost for gas fuel: \$0.21 per million Btu.
- 'b. Load Factor of plant: 55%.
- 'c. Life expectancy of machine: 25 years.
- 'd. Heat Rate Evaluation: 10 years.
- 'e. Cost to Owner of installed generating capability: \$80 per kw.
- 'f. Actual savings to Purchaser which can be effected in costs of spare parts, installation, operation, or maintenance under Bidder's proposal.'

"The evaluation prepared by the City's engineer penalizes General Electric Company \$48,432.34 on account of a supposed efficiency differential. This penalty is based on an efficiency difference of less than .2 of 1%. While the vast majority of knowledgeable engineers feel that it is utterly impossible to measure efficiency more accurately than .3 of 1%, which makes the entire penalty suspect, an even more patent error in this portion of the evaluation is the assumption that a saving over a ten year period has a present worth of the identical amount.

"The City of Austin pays its gas supplier monthly. Thus, the supposed difference of \$48,432.34 will accrue to the City in 120 monthly installments. Even assuming equal installments, at an interest rate of 4% the present worth of that amount of money is \$35,705.16, a significant difference of \$12,727.18. (The truth of the matter is that the actual difference is far greater because gas consumption will increase at a compounded annual rate of more than 10%, with the result that the major portion of the saving will accrue in the last 6 or 7 years of the 10 year period.) In any event, however, the \$48,432.34 figure should not exceed \$35,705.16.

"There are two flaws in paragraph 3 on page 4 of the engineer's report dated November 22, 1965. First, the evaluation period is erroneous; the specifications explicitly state that in evaluating bids the purchaser will assume a life expectancy of 25 years for the machine, whereas the interest charges on the \$33,444.00 difference in base bids has been computed over 10 years. Secondly, the evaluator has apparently failed to compound the 4% interest factor.

"Interest on \$33,444.00 at 4% compounded annually over 25 years amounts to \$55,712.25, the present worth of which is \$20,989.59.

"If none of the correct evaluated amounts is reduced to present value, we have this evaluation summary:

	<u>General Electric</u>	<u>Westinghouse</u>
Base Bid	\$6,116,847.00	\$6,150,291.00
Capacity Credit (Item 1.)		- 17,801.43
Efficiency Credit (Item 2.)		- 48,432.34
Additional Investment Cost (Item 3.)		/ 55,712.25
<b>EVALUATED COST</b>	<b>\$6,116,847.00</b>	<b>\$6,139,769.48</b>

"Using present worth figures, the correct evaluation summary is as follows:

	<u>"General Electric</u>	<u>Westinghouse</u>
"Base Bid	\$6,116,847.00	\$6,150,291.00
Capacity Credit (Item 1.)		- 17,801.43
Efficiency Credit (Item 2.)		- 35,705.16
Additional Investment Cost (Item 3.)		<u>20,898.59</u>
<b>EVALUATED COST</b>	<b>\$6,116,847.00</b>	<b>\$6,117,683.00</b>

"By either method, General Electric Company's bid is the 'lowest and best.'

"Respectfully Submitted,  
GENERAL ELECTRIC COMPANY  
By s/ J. L. Hixon"

Mayor Palmer ascertained this was a claim of an error in mathematics only, and not one in engineering or in the specifications. Mr. Brown said the only point they were making was that Page 4 contained a mathematical error and the effect made General Electric the lowest and best bidder. It was pointed out the specifications did not call for an interest credit, but was included in the Engineer's report. MR. JACK EARHARDT, Engineer, also represented General Electric Company.

MR. BILL SCOGGINS, Corporate Representative; MR. R. H. FINKERNAGEL, Design Engineer; MR. GEORGE RAMPT, Turbine Specialist, and MR. JOE CARTER, District Manager, represented Westinghouse Corporation. A lengthy, very detailed discussion was held on many technical points on the specifications, calculations and evaluations.

Mayor Palmer asked Mr. D. V. Boyd, and Mr. George Morris, Consulting Engineers, Brown & Root, to study the document filed by Mr. Jay Brown in light of the specifications and report back to the Council.

In the afternoon meeting, Mr. Boyd distributed copies of the Brown & Root Consulting Engineers' report, as follows:

"December 2, 1965

"Honorable Mayor and City Council

"Please refer to page 2 of Mr. Hixon's letter of December 2, 1965, in which he states that the evaluator has failed to compound the 4% interest factor.

"What Mr. Hixon failed to state in his letter is what basis he was compounding the interest (i.e. single payment or uniform annual series). See schedules at 4% compound interest attached. Also our letter of recommendation stating the Uniform Annual Series was used for calculations.

"When figuring interest charges for evaluation purposes, as has been done in past evaluations, money must be borrowed by sale of bonds to raise money to enter into contract. This borrowed money must be paid back eventually, whether in ten or twenty-five years, as has been done in the past evaluations, the

December 2, 1965

uniform annual series of calculating return of principle plus interest (this is the way home mortgages are calculated) was utilized in making a interest charge evaluation.

"In Mr. Hixon's case he is stating that you are going to make one single payment at the end of 25 years and consequently 4% compounded yearly being accrued on both the original investment plus the interest being accrued.

"Ladies and Gentlemen, We are basing our evaluation on the fact that money must be borrowed and it is not on hand to make money for loans. Also, if you borrow the money, why should you hold payments for a single payment.

"We will concede a point on interest charge time of 25 years versus 10 years as stated in the specifications.

"Once, again calculating on the Uniform Annual Series for a twenty-five year period, the factor for calculation would be 0.06401 rather than 0.12329 and twenty-five (25) rather than ten (10) years.

"Recalculation:

Letter of recommendation:

$$0.12329 (33,444) (10) - 33444 = \$7,789.11$$

New on 25 year:

$$0.06401 (33,444)(25) - 33444 = \$20,074.75$$

"Revised Evaluation Summary on Twenty-Five Year

	<u>General Electric</u>	<u>Westinghouse</u>
Base Bid	\$6,116,847.00	\$6,150,291.00
Capability Credit (Item 1)		- 17,801.43
Efficiency Credit (Item 2)		- 48,432.34
Additional Investment Cost (above		/ 20,074.75
	<u>\$6,116,847.00</u>	<u>\$6,104,131.98</u>
Total Diff. In W.E. Favor (on a present value basis)		\$ 12,715.02

"Madam and Gentlemen, we have submitted to you our best recommendation. There were not any mathematical errors found in our original evaluation, and the recommendation was based on sound and reasonable engineering accuracy.

"Yours very truly,  
BROWN & ROOT, INC.  
s/ D. V. Boyd, P.E.  
D. V. Boyd, P.E."

MR. DON THOMAS, Attorney, represented Westinghouse Corporation. Mayor Palmer asked the Engineers in light of the pure arithmetic, what the plans and specifications required, and with the additional information that had been

this is the Engineers recommendation in light of all of the discussions based strictly on what was in the plans and specifications which is something the Council wants to safeguard always to insure competitive bidding, and I would not attempt to apply my own thought on this heat factor. It was in the specifications that this should be analyzed, and the Engineers now so state that their recommendation is that Westinghouse's is the lowest and best bid, and I vote 'aye'."

Mr. Scoggins assured the Council that everything that Westinghouse can do to earn this confidence placed in them it would do.

Mr. Norman Barker, Finance Director, stated the cost of that testing equipment would be about \$46,000. The purpose of that testing equipment is a necessity as according to their estimates over the next 24 years, the City will be spending over a quarter of a billion dollars for gas.

MR. R. A. HODGES introduced MR. JOE BART, Official from the Southern Pacific Railroad, who announced the plans of Southern Pacific to enter into a merger. If Union Pacific's and the Chicago Rock Island and Pacific Railroad's merger is approved Southern Pacific wants to purchase the southern portion of the Rock Island Railroad at \$120 million. At this time the matter is before the Interstate Commerce Commission. He stated Austin would receive a better service but no additional service until Austin had a need for the additional service. Councilman Long noted one thing the Southern Pacific could do for Austin, and that is to improve their tracks inside the City limits, as some of the crossings are very rough and rugged. Mr. Bart stated their policy was to do the best job possible, but sometimes they are not aware of some of the conditions that exist. He and the superintendent welcomed specific information about crossings or other problems. Councilman White inquired what would happen to the employees in Austin when this merger goes into effect. Mr. Bart stated Austin employees would not be affected at all. MR. W. U. FULLER, Missouri Pacific, stated this merger would mean a tremendous loss to the Missouri Pacific Railroad, and Austin would be hurt rather than helped. He noted Missouri Pacific had not discontinued a passenger train in the last 15 years, and he did not think the Council should endorse one group when it would hurt another. Mayor Palmer stated this was a matter before another agency, and as far as the City Council's taking any official action, he believed it would be inappropriate. He did suggest one of the greatest things these two railroads could do for Austin, would be to get reciprocal switching. Mr. Bart wanted Austin to have the courtesy of having been advised by Southern Pacific of their plans.

Councilman Long moved that the Council recess until 2:00 P.M. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

RECESSED MEETING

2:00 P.M.

At 2:00 P.M. the Council resumed its business.

The City Attorney described a strip of excess land 8' x 160' owned by the City. Mr. Jake Silberstein is paying the City its cost, plus paving. After discussion, Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute a warranty deed on behalf of the City of Austin, conveying to Jake Silberstein for the sum of Five Hundred Five and 80/100 Dollars (\$505.80), the following described property, to wit:

1405 square feet of land out of and a part of that certain tract of land thirty (30.00) feet in width shown as "Reserved" on a map or plat of Cypher Resubdivision, a Resubdivision of Block 2, Outlot 22, of the Subdivision of Outlots 5, 6, 21 and 22, Division "0", of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, according to a map or plat of the said Government Outlots on file in the General Land Office of the State of Texas; a map or plat of said Subdivision of Outlots 5, 6, 21 and 22, Division "0", being of record in Minute Book K at page 566 of the Civil Minutes of the District Court of Travis County, Texas; a map or plat of said Cypher Resubdivision being of record in Book 2 at page 125 of the Plat Records of Travis County, Texas; which certain tract of land thirty (30.00) feet in width was conveyed, together with other property, to Chester D. Brooks by warranty deed dated March 16, 1959, of record in Volume 2016 at page 450 of the Deed Records of Travis County, Texas; said 1405 square feet of land being more particularly described by metes and bounds as follows:

BEGINNING at the southeast corner of Lot 10 of the said Cypher Resubdivision, same being a point in the west line of an alley twenty (20.00) feet in width, which point of BEGINNING is also in the north line of the said tract of land thirty (30.00) feet in width shown as "Reserved", for the northwest corner of the herein described tract of land;

THENCE, with the said north line of the said "Reserved" tract of land South 67° 14' East 160.00 feet to an iron pin at the southeast corner of Lot 9 of the said Cypher Resubdivision, same being on the West line of Chicon Street, for the northeast corner of the herein described tract of land;

THENCE, with the east line of the said "reserved" tract of land, same being the west line of Chicon Street, South 22° 55' West 8.85 feet to a steel pin at its point of intersection with the proposed north line of East 2nd Street, for the southeast corner of the herein described tract of land;

THENCE, with the said proposed north line of East 2nd Street, North 67° 11' West 160.00 feet to its point of intersection with the southerly prolongation of the east line of the aforesaid Lot 10, Cypher Resubdivision, for the southwest corner of the herein described tract of land;

THENCE, with the said southerly prolongation of the east line of Lot 10, Cypher Resubdivision, North 22° 55' East 8.71 feet to the point of BEGINNING.

The motion, seconded by Councilman Shanks, carried by the following vote:  
Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

(The paving will be \$585.60 and his cost will total over \$1,000)

Mayor Palmer discussed the control of density in apartment hotels through requirements of providing kitchens, and several times it has held up lots of construction. A lot of construction is involved now in the University area that would fall under this category. It had been indicated this classification would receive attention in the study of the new zoning ordinance that has not been presented to the Council; but in order to give some relief he asked if it would be agreeable to request that the Building Official and Planning Director look into this classification of dormitories, apartment hotels, and apartments. The Building Official stated there was a serious problem. An apartment hotel must contain 12 units or more. Apartment hotels are being constructed and rented to students or single people. A 2 or 3 bedroom unit could have six boys in one unit, and there would be required only one off street parking space. Apartment hotels are being used as dormitories now. If off street parking were increased to one off street parking space per bedroom, then off street parking could be provided, and the use could be utilized as it is now without having to install a kitchen. After discussion, Councilman Shanks moved that the City Manager be asked to have the Building Official and Planning Director look into this and come in with a recommendation as quickly as possible. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

Councilman LaRue moved that the City Manager be authorized to purchase the property on West 11th Street just west of West Lynn (19,680 square feet for \$3,500) in connection with the Missouri Pacific Boulevard. (1623-25 West 11th Street) The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The City Attorney stated the Council's direction was needed in the acquisition of remaining properties in the area that have not been acquired for the 15th Street Overpass. There are about 25 separate ownerships involved in which ever way the Council desires--the City Attorney could proceed by obtaining contracts, bringing in individual appraisals, or reporting now what the appraisals are--the individual and average appraisals. He stated it was easier to follow

Mayor Palmer reported Mr. Leonard Lundgren, Mr. Wilson, and the Holiday Inn group are still interested in the property they are trying to purchase for development of Holiday Inn Motel. The Mayor discussed the Holiday Inn's proposal. The City Attorney stated at this price, they were talking about for half of an alleyway; half of two streets; and two tracts; plus restrictions upon the use of the remainder of the City's property between the river and this property. The Mayor stated that was submitted only as a proposal. The City Manager and City Attorney stated the Holiday Inn group was certainly interested in this restriction on the City's property. The City Attorney suggested a lease agreement on this property with an option for Holiday Inn to purchase the property on or before 20 years. The City Manager suggested taking the price the City Attorney had worked out, selling the property and getting it on the tax roll. After quite a bit of discussion, the Mayor stated he would call Mr. Wilson; and if the proposal the Council had discussed is not acceptable, he would bring it up again next Thursday.

Mayor Palmer brought up for discussion the project of "Little Texas" on Town Lake. The group has made a feasibility study and other studies and they would like to lease from the City a part of the Butler Tract and a part of the sand beach reserve. Mr. Pat Cain went to some effort to brief how title was vested in the City. The Mayor referred Mr. Cain's letter to the City Attorney. The City Manager asked if his plans conflicted with the Missouri Pacific Railroad. The Mayor stated Mr. Cain would make a formal request.

Councilman Long inquired about the report on Koenig Lane. The City Manager stated he had not received a report yet. Councilman Long wanted to get this traffic problem straightened out; and if the Traffic Department did not come up with a better report, she was going to move that a tow-away zone be installed.

Mayor Palmer announced that a Citizens Committee for Community Improvement would meet at 7:30 P.M., December 6 in the Council Room, and the Council is invited.

Mr. McLaurie, H.H.F.A. will be in Austin at 9:30 Tuesday morning, December 7th, meeting in the Planning Annex in the Western Republic Building to discuss the Workable Program. The Planning Director stated this would be the City's preliminary report to Mr. McLaurie for his review as to whether or not the report generally fits the requirements. The Mayor stated as many of the Council as could should be at this meeting.

Councilman Shanks inquired about the problem of Mr. Cramp, who owns property and people just come in and park on this property without permission. He asked if there were not something that could be done. He can not get the tow-away people to move the vehicles. The City Attorney stated he had suggested to him to post hourly rates of \$1.00 or \$2.00 an hour and hold the vehicle until they had paid the hourly rate.

There being no further business Councilman LaRue moved that the Council

adjourn. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer  
Noes: None

The Council adjourned at 4:25 P.M. subject to the call of the Mayor.

APPROVED

Leota E. Palmer  
Mayor

ATTEST:

Eli Hooley  
City Clerk